

FILED
UNITED STATES DISTRICT COURT
ALBUQUERQUE, NEW MEXICO

OCT 14 2020

MITCHELL R. ELFERS
CLERK

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

UNITED STATES OF AMERICA,

Plaintiff,

vs.

ROBERT BENJAMIN NELSON,

Defendant.

CRIMINAL NO. 20CR 1864 JAP

Count 1: 18 U.S.C. § 1114: Attempted
Murder of an Officer of the United States;

Count 2: 18 U.S.C. § 924(c)(1)(A)(iii):
Using and Carrying a Firearm During and
in Relation to a Crime of Violence, and
Possessing a Firearm in Furtherance of
Such Crime; Discharging Said Firearm.

INDICTMENT

The Grand Jury charges:

Count 1

On or about September 12, 2020, in Cibola County, in the District of New Mexico, the defendant, **ROBERT BENJAMIN NELSON**, attempted to kill S.D., an officer of the Department of Homeland Security, an agency of the United States Government, while S.D. was engaged in official duties.

In violation of 18 U.S.C. § 1114.

Count 2

On or about September 12, 2020, in Cibola County, in the District of New Mexico, the defendant, **ROBERT BENJAMIN NELSON**, knowingly used and carried a firearm, during and in relation to a crime of violence for which the defendant may be prosecuted in a court of the United States, specifically, attempted murder of an officer of the United States as charged in Count 1 of the indictment, and possessed said firearm in furtherance of such a crime, and the firearm was discharged.

In violation of 18 U.S.C. § 924(c)(1)(A)(iii).

FORFEITURE ALLEGATION

Upon conviction of any offense in violation of 18 U.S.C. § 924(c), the defendant, **ROBERT BENJAMIN NELSON**, shall forfeit to the United States, pursuant to 18 U.S.C. § 924(d) and 28 U.S.C. § 2461(c), any firearms and ammunition involved in the commission of the offense, including, but not limited to:

- a. a High Standard model Sentinel .22 caliber revolver, bearing serial number 774766;
- b. a Romanian Arms model GP-WASR-10/63 7.62x39mm rifle, bearing serial number 1965JL4776;
- c. approximately 348 .22 caliber cartridges; and
- d. approximately 210 7.62x39mm cartridges.

A TRUE BILL:

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FOREPERSON OF THE GRAND JURY


Assistant United States Attorney